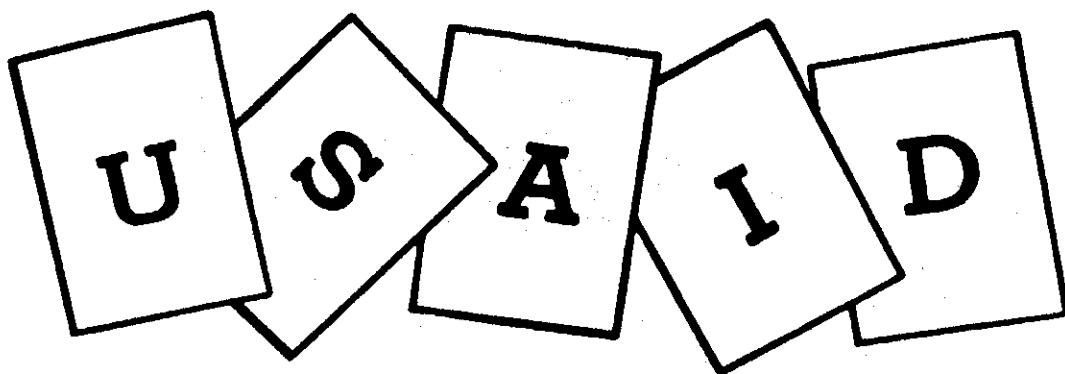


# **Public Administration Bulletin Vietnam**



**February 1, 1970**

**No. 52**

P R E F A C E

The Public Administration Bulletin for Vietnam, published by the Public Administration Division, Agency for International Development, Saigon, Vietnam, attempts to report latest developments in the legislative, judicial, executive and autonomous branches of the Government of Vietnam, as well as other items of interest in the broad field of public administration. The Bulletin is published periodically with frequency of issues dependent upon the importance, urgency and volume of materials available. Readers are invited to comment, or to suggest timely materials which will contribute to the strengthening of Vietnamese administration and management at all levels of government.

To receive copies, or to submit contributions, write to the Editor, USAID/ADLD/PA, APO San Francisco 96243. Locally, copies of the Bulletin are available in Room 602, Lien Hoa Building, 275 Pham ngu Lao Street, Saigon, or by telephoning 93083 to 93090, Extension 4092.

## TABLE OF CONTENTS

	<u>Page</u>
I. Special Constitutional Institutions	1
Culture and Education Council Law No. 05/69	2
Special Court Law No. 12/69	7
Economic and Social Council Law No. 013/69	14
Ethnic Council Law No. 014/69	20
National Security Council Law No. 015/69	25
Judicial Council Law No. 016/69	28
Armed Forces Council Law No. 017/69	32
II. Recent GVN Legislation	
National Education System Decree No. 660-TT/SL	36
Ministry of Rural Development Decree No. 691-TT/SL	37
Abolishment of Central General Inspection Agency Decree No. 141-SL/Th.T/QTCS	38
Directorate General of Youth Decree No. 146-SL/Th.T/QTCS	39

	<u>Page</u>
Central Pacification and Development Center Decree No. 183-SL/BDPT	40
Functions of Ministry of Labor Decree No. 185-SL/LD	41
Revision of Exit Visa Fees Decree No. 193-SL/TL	43
Functions of Ministry of Ethnic Development Decree No. 197-SL/PTST	45
Interministerial Committee - Civil Service No. 200-SL/Th.T/PC1	48
Functions of Ministry of Rural Development No. 201-SL/PTNT	50
Committee - Village Financial Resources Decree 043-ND/ThT/BDPT/TU	52
Manpower Resources Committee Arrete 1340-ND/BDPT	55
Utilization of Personnel Circular No. 192-TT/Th.T/CV	58
Personnel Allocation List Letter No. 4274-Th.t/QTCS	62
III. Village-Hamlet Election Results 1969	68
IV. Political Parties and Political Life in Vietnam an Address by Professor Nguyen van Bong	77
V. Organizational Chart - Office of the President	95

## SPECIAL CONSTITUTIONAL INSTITUTIONS

Chapter Six of the Constitution of the Republic of Vietnam, entitled Special Institutions, provides for a Special Court, an Inspectorate (now referred to as the General Censorate) and a number of advisory Councils to be established within a time frame not to exceed two years from the date the first National Assembly takes office.

The law establishing the General Censorate was promulgated in October 1968 and was printed in Public Administration Bulletin No. 47. The last of the Special Institutions to be established, the Armed Forces Council, was promulgated in October 1969, thus fulfilling requirements of the Constitution. Laws establishing these institutions appear on the following pages.

LAW No. 05/69

Considering the Constitution of April 1, 1967,

After debates and vote by the National Assembly,

THE PRESIDENT OF THE REPUBLIC OF VIETNAM

promulgates Law No. 05/69 of May 2, 1969, fixing the organization and functioning of the Culture and Education Council, the full text of which is as follows:

CHAPTER ONE

Responsibilities

Art. 1 - The Culture and Education Council, as fixed by articles 93, 94 of the Constitution, has the following responsibilities:

- a. To advise the Government in planning and carrying out cultural and educational policies,
- b. To present suggestions and to draft plans on matters of culture and education,
- c. To study the establishment of a National Academy.

Art. 2 - With the approval of the National Assembly, the Culture and Education Council may give its opinions on the bills involving culture and education matters, or designate representatives to report to the National Assembly on these matters.

CHAPTER TWO

Composition

Art. 3 - The Culture and Education Council is presided

over by the Vice-President of the Republic as Chairman and is composed of the following members:

- Forty-five regular members
- Fifteen alternate members

Art. 4 - The regular and alternate members are divided as follows:

- Fifteen regular members and five alternate members designated by the President of the Republic,
- Thirty regular members and ten alternate members nominated by public and private organizations and the Parents and Teachers Associations.

The above members shall be appointed by decrees of the President of the Republic.

Art. 5 - The members of the Culture and Education Council must meet the following requirements:

- Have Vietnamese citizenship,
- Be at least 30 years of age as of the day they are formally designated or nominated,
- Have regular draft status,
- Not have been sentenced to prison for crime or misdemeanor, except for minor penalties for carelessness or negligence,
- Not deprived of their civil rights.

Art. 6 - The term of office of members is four years and may be renewed.

The term of office may end before due date for reasons of death, resignation or absence.

A member shall be dismissed by Presidential decree before due date in the following cases:

1. If he does not meet the requirements specified in Article 5,
2. By a vote of at least two thirds of the total regular members.

Art. 7 - In case of vacancy for any reason of one or more regular members, the Council shall recommend to the President of the Republic appointment of the next candidate on the list of alternate members of the interested category, as specified in Article 4.

### CHAPTER THREE

#### Organization and Operation

Art. 8 - In its first regular session held each year, the Council elects one Deputy Chairman in charge of cultural affairs, one Deputy Chairman in charge of educational affairs, one Secretary General and one Deputy Secretary General. All these members form with the Chairman the Council's Permanent Office.

In addition, the Council shall establish technical committees.

Art. 9 - Members are not entitled to a salary; however, each time they attend general or committee meeting or make operational visits they earn an allowance.

Members of the Permanent Bureau shall earn a fixed monthly allowance.

A Presidential decree shall determine the rate and the settlement of these allowances.

Art. 10 - In every each six month period, the Council meets in a regular session, on the convocation of the Chairman.



Each regular session will not last more than fifteen days.

Art. 11 - The Council may hold extraordinary session by decision of the Council Chairman, or on the request of the President of the Republic or when more than one half of the total number of the regular members so request.

Each extraordinary session will not last more than ten days.

In case of convocation on the President's request, the agenda comprises the matters which the President has asked the Council to debate.

In case of convocation, by decision of the Council Chairman, or by vote of the members, the agenda is established by the Council Bureau.

Art. 12 - The Council shall meet in public; nevertheless, the Council may hold its session in secret when more than one half of its total regular members so request.

The Council may invite representatives of public agencies or private enterprises involved in matters to be discussed to present their opinions to the Council, but these representatives are not allowed to vote.

Art. 13 - The members of the Council are not allowed to give by proxy their right to vote.

Art. 14 - The report of each session shall bear the signature of the Council Chairman, and shall be transmitted to the President's Secretariate and to the Secretariates of the Upper and Lower House within fifteen days after the date of closure of the meeting.

Art. 15 - The Council shall draft and vote its Internal Regulations at the first session of the first term of office.

The Internal Regulations and all Amendments must receive presidential approval.

Art. 16 - The Council shall have a General Manager appointed by the President of the Republic on the recommendation of the Council Chairman.

The General Manager shall rank equally with a Ministry Secretary General.

#### CHAPTER FOUR

##### Other provisions

Art. 17 - The operational expenses of the Culture and Education Council shall be supported by the National Budget.

Art. 18 - By vote of two thirds of the total number of regular members, the President of the Republic may dissolve the Culture and Education Council.

Three months after the dissolution of the former Council at the latest, a new Council shall be established in accordance with the procedures set up by the present Law.

Art. 19 - The procedures to implement the present Law shall be determined by Presidential decree.

Art. 20 - The National Education Council, established by Arrete No. 1320-a/GD of July 2, 1964, shall be automatically dissolved from the day the Culture and Education Council is established.

Art. 21 - All provisions contrary to the present Law shall be rescinded.

The present Law shall be published in the Official Journal of the Republic of Vietnam.

Saigon, May 2, 1969

s/ Nguyen van Thieu

Law # 12/69 of 24 September 1969 covering ORGANIZATION  
AND OPERATIONS OF THE SPECIAL COURT

In pursuance of the Constitution of the Republic of  
Vietnam of 1 April 1967:

Upon the discussion and voting by the National Assembly,  
the President of the Republic of Vietnam, promulgates  
Law #12/69 on September 24, 1969, covering the organi-  
zation and operations of the Special Court, the text of  
the law reads as follows:

CHAPTER I - COMPETENCE

Art. 1 - The Special Court is competent to remove from  
office the President, Vice-President, Prime Minister,  
Ministers, Secretaries of State, Supreme Court Justices,  
and Inspectorate members in case of treason or other  
serious crimes.

CHAPTER II - COMPOSITION

Art. 2 - The Special Court is composed of the Chief  
Justice as presiding judge, five senators, and five  
representatives as associate judges.

When the defendant is the Chief Justice, the Chairman of  
the Senate presides over the Special Court.

Art. 3 - Each House of the National Assembly shall  
nominate five regular and two alternate judges through  
secret votes in an open plenary session. Each ballot  
bears only a candidate's name. The five candidates  
obtaining most votes shall be regular associates; the  
next two shall be alternates. In case of a tie the  
senior in age shall prevail.

An alternate shall replace a regular judge whenever the latter is absent or challenged.

Should a judge be formerly a lawyer, he shall not be allowed to continue practicing at the bar throughout his term in the Special Court. His name shall be considered omitted from the list of the Bar Association.

Art. 4 - The term of office of the Presiding Judge of the Special Court is the same as that of the Supreme Court Chief Justice to the Supreme Court.

The term of office of associate judges of the Special Court is one year.

Art. 5 - When taking office, the Special Court judges are sworn in the presence of the Legislature and Executive. Their oath reads as follows: "I swear I shall respect the Constitution and the law, serve the national interests and earnestly fulfill a worthy, loyal, and impartial judge's duty."

Art. 6 - The Special Court judges shall keep secret all that is discussed during the court deliberations.

Art. 7 - The Special Court associate judges may resign before expiration of their term of office.

Letters of resignation shall be filed with the Presiding Judge and are effective from the date of receipt by the Special Court.

Art. 8 - In case of vacancy in the office of judge for any reason, an alternate judge shall take over until expiration of the tenure of the regular judge who left his office.

Should the vacancy still exist, an election of associate judges must be held within thirty days to fill vacancies.

### CHAPTER III - PROSECUTION

Art. 9 - Only the National Assembly is qualified to prosecute before the Special Court, requesting the removal from office of the President, Vice President, Prime Minister, Ministers, Secretaries of State, Supreme Court Justices and Inspectorate members.

Art. 10 - A proposal for prosecution with supporting reasons must be signed by over half the total number of Representatives and Deputies.

Specially with regard to the President and Vice-President, the proposal for prosecution with supporting reasons must be signed by two-thirds of the total number of Senators and Representatives.

The proposal for prosecution shall state the group whose function consists of presenting the case before a joint session of the National Assembly.

Art. 11 - The proposal for prosecution shall be filed with the Senate office. The Chairman of Senate shall send copies of the foregoing proposals to Senators and Representatives, and advise the person concerned of such a proposal within three days.

Art. 12 - Within seven days upon receipt of a proposal for prosecution, the Chairman of Senate shall convene a joint-session for deliberation and voting on this proposal.

The person concerned shall have the right to be present at the session and state his view, if any, and submit necessary documents.

The National Assembly shall make decision through secret vote after the person concerned has left the meeting room.

Art. 13 - A proposal for prosecution shall become a petition only upon the agreement of two-thirds of the total number of senators and representatives through their voting.

With regard to the President and Vice President, the petition for prosecution must have reached a three-quarter vote from the total number of representatives and senators.

Art. 14 - A petition for prosecution shall state the defendant's name, function, and offense, and also, the reasons for prosecuting.

Art. 15 - Within two days after the voting for prosecution, the Chairman of Senate shall transmit the petition for prosecution and related briefs to the Special Court Presiding Judge.

Copies of such petition shall be served on the persons concerned.

Art. 16 - Those who are under prosecution shall suspend their functions for the period between the National Assembly's voting for prosecution and the Special Court ruling on their cases.

#### CHAPTER IV - PROCEDURE IN FORCE BEFORE THE SPECIAL COURT

Art. 17 - The Special Court shall meet to rule on the case within fifteen days from the day the petition is received, and shall advise the defendant, the National Assembly and witnesses of the address of the hearing room, the date and time of the hearing at least three days prior to the hearing.

The Special Court Presiding Judge shall assign an associate judge to brief the case at the hearing session.

Art. 18 - From the date of taking cognizance of the case to the date of hearing, the Special Court may summon the parties concerned for investigation or submission of arguments.

The Special Court Judges, Representatives, Deputies and Defendants shall have the right to call upon witnesses to state the points related to the case.

Special Court associate judges may not stand as witnesses.

Only the President and Vice President have the right to submit written statements.

Art. 19 - The quorum of the Special Court hearing is eleven.

In case a judge is absent, the Presiding Judge shall send for an alternate.

Art. 20 - Any special court judge may be challenged for the following reasons:

- a. There is lineal or collateral kinship up to the third degree between the judge and the defendant
- b. There is hostility between the judge and the defendant, and such hostility is confirmed by over half the court.

The challenge may not be raised more than twice.

Art. 21 - Special Court trials shall be open.

However, the Special Court may try in camera upon the agreement of over half the court.

Lawyers belonging to the National Assembly may not plead at the Special Court.

Art. 22 - After the debate, the Special Court shall deliberate in camera. The Special Court may not postpone or suspend the deliberation.

Special Court decisions shall be immediately pronounced.

Art. 23 - Special Court decisions of removal from office must have reached the agreement of three-quarters of the court.

Specially with respect to the President and Vice-President, the decisions of removal from office must have reached the agreement of four-fifths of the staff.

Art. 24 - Special Court decisions shall bear supporting reasons, the names of judges voting for and against, and shall be pronounced in public.

Special Court decisions are final.

Decisions of removal from office shall have the effect of ending the function of the person concerned from the date of pronouncement.

Records submitted to the Special Court, records regarding the procedure, and decisions are free of registration and fiscal stamps.

Art. 25 - Upon the decision of removing the President from his office, the Vice-President shall be in charge of the President's office for three months to organize an election of President and Vice-President for another term.

Art. 26 - Upon removal from office, the person concerned may be prosecuted before a competent court.

The Special Court shall forward the file concerned to the competent prosecutor's office within a week after the pronouncement of the decision of removal.



CHAPTER V - GENERALITIES

Art. 27 - All provisions contrary to this law shall be abrogated.

This law shall be published in the Official Journal of the Republic of Vietnam.

Saigon, 24 Sept. 1969

s/NGUYEN VAN THIEU

LAW No. 013/69

Considering the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

After debates and vote by the National Assembly,

THE PRESIDENT OF THE REPUBLIC OF VIETNAM,

promulgates Law No. 013/69 of September 25, 1969, fixing  
the Organization and Functioning of the Economic and  
Social Council, the full text of which is as follows:

CHAPTER ONE

Responsibilities

Art. 1 - The Economic and Social Council set up by  
Articles 95, 96 of the Constitution, has the responsibility:

- To advise the Government, to make suggestions and  
recommendations of plans for economic and social  
matters,
- To give opinions by mail or by representatives  
reporting before the Lower or Upper Houses on economic  
and social matters when the House concerned has given  
its approval or so requests.

Art. 2 - The President of the Republic should consult  
the Council on plans lasting more than four years and on  
bills pertaining to economic and social matters.

CHAPTER TWO

Composition

Art. 3 - The Economic and Social Council, presided over

by the Vice-President as Chairman, is composed of the followings:

- Forty five regular members
- Eighteen alternate members.

Art. 4 - The members of the Economic and Social Council are divided as follows:

Category A

- Fifteen regular members and six alternate members designated by the President of the Republic,

Category B

- Thirty regular members and twelve alternate members comprising representatives as follows:

1. Economy:

Fifteen regular members and six alternate members nominated by lawful economic organizations.

2. Social Welfare:

Fifteen regular members and six alternate members nominated by lawful social organizations.

The nominations of members of category B shall be regularized by presidential decree.

Art. 5 - The members of the Economic and Social Council must meet the following requirements:

- Have Vietnamese citizenship
- Be at least 30 years of age on the date of formal designation or nomination

- Have regular draft status
- Not have been sentenced to penal servitude for crime or misdemeanor, except for carelessness or negligence
- Not deprived of their civil rights.

Art. 6 - The term of office of the Economic and Social Council is four years.

The members may be re-appointed.

The term of office of the members of the Economic and Social Council may end before due date by reasons of death, resignation or absence.

The members of the Economic and Social Council may be released by decree of the President of the Republic before due date in the following cases:

- When there is a vote of the Council based on the provisions of the Internal Regulations
- When they no longer meet the requirements or the capacity of representatives which allowed them previously to be chosen as members of the Economic and Social Council.

In all cases, the President of the Republic shall appoint in replacement the next alternate member of the interested category as provided in Article 4, according to the priority sequence on the listing, one month at the latest from the date on which the vacancy occurs.

### CHAPTER THREE

#### Organization and Functioning

Art. 7 - The Economic and Social Council is organized as follows:

- The Permanent Bureau is composed of one Chairman, one Deputy Chairman in charge of economics, one Deputy Chairman in charge of social welfare, one Secretary General and one Deputy Secretary General
- The Council shall establish a number of Sub-Committees as deemed necessary.

Art. 8 - The Council shall prepare and vote its Internal Regulations in the first session of the first term of office.

The Internal Regulations and all amendments should be approved by the President of the Republic.

Art. 9 - Every trimester, the Council shall meet in regular session on the convocation of the Chairman of the Council.

Each regular session shall not exceed fifteen days.

Art. 10 - The Chairman shall convoke the extraordinary session on the request of the President of the Republic or of more than one half of the total number of regular members.

Each extraordinary session shall not exceed fifteen days.

In case the convocation is made upon the President's request, the agenda of the session shall comprise the matters proposed by the President.

In case more than one half of the total number of the members request the meeting, the agenda is established by the Council Bureau.

Art. 11 - The meetings of the Council and of the Sub-Committees are not public.

The Council may invite representatives of public agencies

or private citizens involved in matters to be discussed to present their opinions to the Council, but these representatives are not allowed to vote.

Art. 12 - The members of the Council are not allowed to give by proxy their right to vote. When they vote on economic or social matters, all proposals should be inscribed in the report with the results of the balloting.

Art. 13 - The reports of all meetings pertaining to economic and social matters, signed by the Chairman, shall be transmitted to the President's Secretariate and to the Secretariates of the Upper and Lower Houses within fifteen days since the date of closure of the meeting.

#### CHAPTER FOUR

##### Other Provisions

Art. 14 - The members of the Council shall not receive any salary.

However, each time they attend the general meeting or a committee, or are assigned to perform an operation by a vote of the Council, they shall receive an allowance.

The members of the Permanent Bureau shall receive a monthly allowance.

A Presidential decree shall determine the rate and the procedures for settlement of these allowances.

The operational expenditures of the Council shall be supported by the National Budget.

Art. 15 - The President of the Republic may dissolve the Economic and Social Council when a vote of two-thirds of the total number of the regular members so request.

Three months at the latest after the former Council is

dissolved or ends its term, the President of the Republic shall establish another Council according to the procedures set up by the present Law.

Art. 16 - The procedures for implementing the present Law shall be determined by Presidential decree.

Art. 17 - All previous provisions contrary to the present Law shall be rescinded.

The present Law shall be published in the Official Journal of the Republic of Vietnam.

Saigon, September 25, 1969

s/ NGUYEN VAN THIEU

LAW No. 014/69

Considering the Constitution of the Republic of Vietnam dated April, 1967,

After debates and vote by the National Assembly,

THE PRESIDENT OF THE REPUBLIC OF VIETNAM

promulgates Law No. 014/69 of October 14, 1969 fixing the "Organization and Functioning of the Ethnic Council", the full text of which is as follows:

CHAPTER ONE

Responsibilities

Art. 1 - The Ethnic Council, representative of the Ethnic Minorities living in the territory of the Republic of Vietnam, has the following responsibilities:

- To advise the Government on all matters, involving ethnic minority citizens,
- To make suggestions and to prepare drafts and plans pertaining to ethnic minority citizens.

Art. 2 - The Ethnic Council shall be consulted on the matters involving ethnic minority citizens.

Art. 3 - The Ethnic Council, with the consent of the National Assembly, may designate representatives to report before the National Assembly on concerned matters.

The National Assembly may ask the opinions of the Ethnic Council on bills pertaining to ethnic minority citizens before they are submitted for debate.



## CHAPTER TWO

### Composition

Art. 4 - The Ethnic Council, presided over by the Vice President of the Republic, is composed of:

- Forty eight regular members,
- Twelve alternate members.

Art. 5 - The number of regular and alternate members is divided as follows:

- Sixteen regular members and four alternate members designated by the President of the Republic,
- Thirty two regular members and eight alternate members nominated by the Vietnamese of Southern Highlands origin, the Vietnamese Refugees from Northern Highlands, the Vietnamese of Cham origin, and appointed by presidential decree.

Art. 6 - Members of the Ethnic Council must be citizens who meet the following requirements:

- Have Vietnamese citizenship,
- Have at least thirty years of age on the date of formal designation,
- Not have been sentenced to penal servitude, except for negligence or carelessness,
- Not deprived of civil rights,
- Have regular draft status.

Art. 7 - The term of office of the members is four years. They may be re-appointed.

- The above term may end before due date for reasons of resignation, absence or death.
- The members may be released before due date by Presidential decree if there is a vote of 2/3 of the total number of the regular members.

Art. 8 - In case of vacancy of one or more members and for any reasons, one month at the latest after the date of vacancy, the Chairman of the Council shall designate for replacement the next alternate member in the interested category, according to the priority sequence in the appointment list.

### CHAPTER THREE

#### Organization and Functioning

Art. 9 - In the first regular session of each year, the Council shall elect one Deputy Chairman, one Secretary General, two Deputy Secretaries General. Together with the Chairman, they shall form the Council's Permanent Bureau.

The Council may establish technical committees to study any determined matters.

Art. 10 - Each trimester, the Council shall meet in regular session on the convocation of the Chairman.

Each regular session shall not last more than fifteen days.

Art. 11 - The Council may meet in extraordinary session by decision of its Chairman or on the request of the President of the Republic, of the Chairman of each House of the National Assembly or of more than one half of the total number of the regular members.

Each extraordinary session shall not last more than ten days.

- In case the convocation is made on the request of the President of the Republic or of the Chairman of each House of the National Assembly, the agenda of the session will comprise the matters the President or the Chairman requests the Council to debate.
- In case the convocation is made on the request of the Chairman of the Council or of more than one half of the total regular members, the agenda will be prepared by the Permanent Bureau of the Council.

Art. 12 - The Council and its technical committee meet in public. Nevertheless, the Council may meet in private if more than one half of the members present so request.

The Council and its technical committees may invite to the meeting the representatives of public agencies and lawful organizations involved, to present their opinions on the matters discussed, but these persons do not have the right to vote.

Art. 13 - The report of each session with the signature of the Chairman of the Council shall be transmitted to the President's Secretariate, and to the Secretariate of both Houses of the National Assembly within ten days since the closure of the meeting.

Art. 14 - The Council shall prepare and vote the Internal Regulations in the first session of the first term of office. The Internal Regulations should have the President's approval.

Art. 15 - All organization and operational expenditures of the Ethnic Council shall be supported by the National Budget.

Art. 16 - Members shall not earn a salary, but shall be entitled to an allowance for operation and presence at the sessions.

Members of the Permanent Bureau shall have fixed monthly allowances.

Art. 17 - The President of the Republic may dissolve the Ethnic Council before due date in consideration of the vote of at least 2/3 of the total number of the regular members.

Art. 18 - One month before the Council reaches its term of office, or one month at the latest after its dissolution, a new Council shall be established according to provisions of the present Law.

#### CHAPTER FOUR

##### General Provisions

Art. 19 - The Ethnic Council for the first term of office should be established prior to October 22, 1969.

Art. 20 - The procedures for implementing the present Law and for nominating the representatives of ethnic minorities shall be determine by Presidential decrees.

All provisions contrary to the present Law shall be rescinded.

The present Law shall be published in the Official Journal of the Republic of Vietnam.

Saigon, October 14, 1969

s/ NGUYEN VAN THIEU

LAW No. 015/69

Considering the Constitution of the Republic of Vietnam dated April 1, 1967,

After debates and vote by the National Assembly,

THE PRESIDENT OF THE REPUBLIC OF VIETNAM

promulgates Law No. 015/69 of October 20, 1969 determining the "Organization and Functioning of the National Security Council, the full text of which is as follows:

CHAPTER ONE

Responsibilities

Art. 1 - The National Security Council has the following responsibilities:

- a. Study all matters pertaining to security and national defense,
- b. Recommend appropriate measures to maintain national security,
- c. Recommend the promulgation of the state of alert, curfew, emergency or war,
- d. Recommend a declaration of war or transactions for peace.

CHAPTER TWO

Composition

Art. 2 - The National Security Council comprises the following:

- Chairman                      The President of the Republic
- Vice Chairman                The Vice President of the Republic
- Member                        The Prime Minister of the Government
- Member                        The National Defense Minister
- Member                        The Interior Minister
- Member                        The Foreign Affairs Minister
- Secretary General            A civil servant appointed by the  
President of the Republic

Art. 3 - The Chairman, National Security Council, may invite any notables he deems necessary to attend the meetings of the Council.

### CHAPTER THREE

#### Operations

Art. 4 - The National Security Council meets in regular session every three months and in extraordinary session when convened by the President of the Republic.

Art. 5 - Members and notables who are invited to the meeting of the Council shall not divulge the debates and votes of the Council. All violations shall be prosecuted according to the regulations in force.

Art. 6 - The decisions of the National Security Council pertaining to recommendations for declaration of war, transactions for peace, or the promulgation of a state of war shall be transmitted by the President of the Republic to the offices of both Houses of the National Assembly within 24 hours after the decisions are taken by the Council.

### CHAPTER FOUR

#### General Provisions

Art. 7 - All provisions contrary to the present Law shall be rescinded.

The present Law shall be published in the Official  
Journal of the Republic of Vietnam.

Saigon, October 20, 1969

s/ NGUYEN VAN THIEU

Republic of Viet Nam  
President's Office

LAW No. 016/69 OF OCTOBER 20, 1969  
Covering the "Organization and Operations"  
of the Judicial Council

Considering the Constitution of the Republic of Vietnam  
of April 1, 1967,

Upon discussion and voting by the National Assembly,

The President of the Republic of Vietnam promulgates law  
No. 016/69 on October 20, 1969, covering the organization  
and operations of the Judicial Council, the full text of  
which reads as follows:

CHAPTER I - DUTIES

Art. 1 - The Judicial Council shall have the duty to:

Propose appointments, promotions, transfers, and disciplinary  
measures for judges.

Advise the Supreme Court on matters concerning the judicial  
branch.

CHAPTER II - ORGANIZATION

Art. 2 - The Judicial Council shall be composed of:

Four judge members elected by the Supreme Court justices,  
and judges serving at the Council of State and Courts of  
Appeal.

Four judge members elected by judges serving at other courts.



A member of highest rank shall be the chairman of the Judicial Council.

In case of equal ranks, the senior in service shall prevail.

Art. 3 - Judges of all levels now under the Supreme Court administration shall be considered as trying judges as specified in Articles 1 and 2.

Art. 4 - Any judge meeting the following requirements may run for the Judicial Council:

Have been serving as judge in a judicial agency for at least ten years, with regard to judges of Courts of Appeals, and five years with respect to judges of Courts of First Resort.

Being in active service at the Court.

Have never been imposed any disciplinary measure.

Art. 5 - Every member of the Council shall serve a two-year term which may be renewed. (through re-election)

Art. 6 - The members of the Judicial Council shall continue their own functions at the Court throughout their term of office at the Council.

Art. 7 - Any judge shall have the capacity of an elector, no matter whether his office is an ordinary or special court, whether he is in office or on detachment, whether he is on long leave or leave without pay.

Art. 8 - Electors shall be divided into two groups:

The first group shall include judges serving at the Supreme Court, the Council of State and courts of appeals.

The second group shall comprise judges serving at other courts.

Each electoral group shall nominate four regular members

and two alternates.

In case a regular member's office is vacant for any reason whatsoever, the alternate who has obtained the highest number of votes from the same group which elected the judge whose office is vacant shall fill the vacancy.

Art. 9 - The election of new members to the Judicial Council shall be carried out within three months prior to the expiration of the tenure of the out-going members.

In case of impossible achievement of the election within fixed time, the expiring Council shall continue to hold office, until a new council is elected, through an arrete of the Supreme Court.

Art. 10 - The results of the election of members to the Council shall be proclaimed by the Supreme Court and inserted in the Official Journal of the Republic of Vietnam.

Art. 11 - The Judicial Council shall have a permanent office under the direction of a secretary general who shall be appointed by the Chief Justice in pursuance of the Council's proposal. The secretary general shall hold the office of secretary to the Judicial Council with no voting rights.

### CHAPTER III - OPERATIONS

Art. 12 - The Judicial Council shall meet quarterly, upon the chairman's call.

In addition, the Council may meet in extraordinary sessions, upon either the chairman's call or the proposal of one third of the total membership of the Council.

Art. 13 - The Judicial Council shall meet and vote in due form when three fourths of the membership are present.

Art. 14 - The Judicial Council shall make decision through

secret and relative majority vote.

In case of a tie, the chairman shall cast a deciding vote.

Art. 15 - The subject of the Council's discussion must be absolutely kept secret.

Art. 16 - Before the Judicial Council votes on a disciplinary measure to be imposed to a judge defendant, the latter may defend himself through a plea, or orally argue before the council.

#### CHAPTER IV - GENERAL PROVISIONS

Art. 17 - The Supreme Court shall be in charge of the organization of the election of the Judicial Council.

An arrete by the Supreme Court shall prescribe the procedures and processes of election to and candidacy for the Judicial Council.

Art. 18 - Expenses incurred by the organization and operations of the Judicial Council shall be defrayed by the Supreme Court's budget.

Art. 19 - The first Judicial Council shall be established prior to the thirty first of October (10/31), 1969.

Art. 20 - All provisions contrary to this law shall be abrogated.

This law shall be published in the Official Journal of the Republic of Vietnam.

Saigon, October 20, 1969

s/ Nguyen van Thieu

LAW No. 017/69

Considering the Constitution of the Republic of Vietnam dated April 1, 1967,

After debates and vote by the National Assembly,

THE PRESIDENT OF THE REPUBLIC OF VIETNAM

promulgates Law No. 017/69 of October 31, 1969 fixing the "Organization and Functioning of the Armed Forces Council", the full text of which is as follows:

CHAPTER ONE

Responsibilities

Art. 1 - The Armed Forces Council has the responsibility to advise the President of the Republic on matters pertaining to the Armed Forces, especially the promotion, transfer and punishment of the military of all levels.

CHAPTER TWO

Composition

Art. 2 - The Armed Forces Council is composed of 40 regular members and 15 alternate members representing the military of all levels:

- Five regular members and one alternate member of General rank
- Five regular members and one alternate member of Colonel rank
- Ten regular members and three alternate members of Captain and Lieutenant rank

- Ten regular members and three alternate members of Non-Commissioned Officers rank
- Ten regular members and three alternate members of enlisted man rank

All are appointed by Presidential decree on the recommendations list of the National Defense Ministry.

The procedures for selection of the members shall be determined by decree.

Art. 3 - The Armed Forces Council members shall meet the following requirements:

- Have at least twenty-five years of age and three years of military service by the date of appointment
- Not have been sentenced to penal servitude for crime or misdemeanor, except for carelessness or negligence

Art. 4 - The Chairman, Armed Forces Council may invite war veterans to attend the sessions of the Council to present their opinions, as he deems necessary.

Art. 5 - The term of office of the members is two years and may be renewed.

The term of office may end before due date for one of the following reasons: death, resignation, release from the Army, release from the representative status of his level, violation of the military discipline when confirmed by 2/3 of the total number of members as prejudicial to the honor and confidence of the Army, sentence of penal servitude for crime or misdemeanor, except for carelessness or negligence.

Art. 6 - If for any reason one or more vacancies occur, the Council shall recommend to the President appointment

of the alternate member belonging to the interested level, as prescribed in Article 2 above.

### CHAPTER THREE

#### Organization and Functioning

Art. 7 - The Armed Forces Council, first term, must be established prior to October 31, 1969.

Art. 8 - The highest member of the General rank shall automatically become Chairman, Armed Forces Council. In case of equality of grade and echelon, the senior General in grade and echelon shall be chosen. When there is equality of grade, echelon, and seniority, the General with the most years of military services shall be chosen.

Art. 9 - In the first regular session of each year, the Council elects its Deputy Chairman and its Secretary General.

The Chairman, the Deputy Chairman and the Secretary General will form the Council's Permanent Bureau.

Art. 10 - The Council meets in regular session every six months and in extraordinary session when the President or more than one half of the total number of the members so request.

Each regular session does not last more than ten days. Each extraordinary session does not last more than five days.

Art. 11 - The report of each session shall be transmitted to the President within fifteen days from the date of closure of the meeting.

Art. 12 - The members and notables who are invited to the Council sessions shall not divulge the debates and votes of the Council. All violations will be prosecuted according to the regulations in force.

## CHAPTER FOUR

### Other Provisions

Art. 13 - The operational expenditures of the Armed Forces Council shall be supported by the National Budget.

Art. 14 - In addition to their salary and allowances paid in accordance with their grade and echelon, the Permanent Bureau members shall be entitled to a position allowance, and other members shall earn an allowance each time they attend the meetings of the Council or undertake an operations for the Council.

The rate and procedures for settlement of this allowance shall be determined by decree.

Art. 15 - All provisions contrary to the present Law shall be rescinded.

The present Law shall be published in the Official Journal of the Republic of Vietnam.

Saigon, October 31, 1969

s/ Nguyen van Thieu

Presidency  
No. 660-TT/SL

THE PRESIDENT OF THE REPUBLIC OF VIETNAM,

In view of the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

.....

DECREES THE FOLLOWING:

Decree No. 096-GD of 29 December 1949, organizing the educational system of Vietnam, in particular public education at the secondary and elementary levels; is amended as follows:

Art. 1 (new) - The national education system, at the secondary and elementary levels, for the whole territory of the Republic of Vietnam is transformed into a unique and continuous system of 12 classes in 12 years. The first class is the lowest one, and the twelfth class is the highest one.

- The curriculum, from the first class to the fifth class will correspond with the current elementary level,
- The curriculum from the sixth class to the twelfth class will correspond with the current secondary level.

All details for the changes of the national education system involved in Art. 1 shall be determined by arrete of the Ministry for Education.

.....

Saigon, December 1, 1969

s/ Nguyen van Thieu



Presidency  
No. 691-TT/SL

THE PRESIDENT OF THE REPUBLIC OF VIETNAM,

Considering....

DECREES THE FOLLOWING:

Art. 1 - The name of "Ministry of Revolutionary Development" (literally: Ministry of Rural Construction) is changed to "Ministry of Rural Development" effective January 1, 1970.

Art. 2 - The Prime Minister of the Government shall carry out the execution of the present decree.

Saigon, 15 December 1969

s/ Nguyen van Thieu

Republic of Viet Nam  
Prime Ministry  
No. 141-SL/Th.T/QTCS

THE PRIME MINISTER,

Considering.....

DECREES:

Art. 1 - The Central General Inspection Agency is hereby dissolved for the Inter-Provincial Inspection offices.

Art. 2 - Inter-Provincial Inspectors are placed under the direct jurisdiction of the Prime Ministry.

Art. 3 - All previous texts which are contrary to the present decree shall be rescinded.

Art. 4 - The Secretary of State at the Prime Ministry and Central Inspector General are charged, each as to that which concerns him, with the execution of this decree.

Saigon, October 21, 1969

s/ Tran thien Khiem

Prime Ministry  
No. 146-SL/ThT/QTCS

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

Considering decree No. 394-TT/SL of September 1, 1969  
fixing the composition of the Government,

Considering decree No. 67-SL/VHGD/TN of 26 June 1968  
and subsequent texts determining the composition of  
the Ministry of Education and Youth,

DECREES THE FOLLOWING:

Art. 1 - For the purpose of regulation, the Directorate  
General for Youth is placed under the direct jurisdiction  
of the Prime Minister's Office since September 1, 1969.

Art. 2 - The Vice Prime Minister, concurrently Minister  
for Education, the Secretary of State for Executive  
Affairs at the Prime Minister's Office are charged with  
the execution of the present decree, as far as their  
duties are concerned.

Saigon, 23 October 1969

s/ Tran thien Khiem

Prime Ministry  
No. 183-SL/BDPT

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

....

Considering the needs of service,

DECREES THE FOLLOWING:

Art. 1 - The name of the Central Pacification and Construction Coordination Center is hereby changed to "The Central Pacification and Development Coordination Center."

Art. 2 - The organization and functions of the Central Pacification and Development Center shall remain the same, as provided by the current texts.

Art. 3 - The Secretary of State for Executive Affairs at the Prime Minister's Office is charged with the execution of the present decree.

Saigon, 3 December 1969

s/TRAN THIEN KHIEM

Prime Ministry

No. 185-SL/LD

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

Considering Decree No. 394-TT/SL of 1 September, 1969  
determining the composition of the Government,

Considering Decree No. 31-XLN of 19 September, 1949  
determining the functions of the Secretary of State  
for Agriculture, Social Welfare and Labor,

DECREES THE FOLLOWING:

Art. 1 - Now is hereby determined as follows the  
functions of the Minister for Labor:

- to implement Labor Law,
- to study and draft legislative texts and regulations  
for the purpose of amending and improving the Labor  
Law,
- to make liaison with the International Labor  
Organization for execution of the duties of national  
membership towards this organization,
- to administer manpower requirements, especially  
emphazing to the fullest extent the use of the  
physically handicapped and war veterans,
- to develop vocational training for employees,

- to develop the social security system for employees,
- to develop and improve the safety and sanitary systems in enterprises and on job sites,
- to improve labor relations.

Art. 2 - All previous texts, which are contrary to the spirit of the present decree, shall be rescinded.

Art. 3 - The Vice Prime Minister, Ministers of State, Ministers, Secretaries of State, and Vice Ministers are charged, each as to that which concerns him, of the execution of the present decree.

The present decree shall be published in the Official Journal of the Republic of Vietnam.

Saigon, 5 December 1969

s/ Tran thien Khiem

Prime Ministry

No. 193-SL/TL

THE PRIME MINISTER OF THE GOVERNMENT,

Considering the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

In view of decree No. 394-TT/SL of September 1, 1969  
fixing the composition of the Government,

In view of decree No. 18-SL/TC of January 23, 1967  
establishing an exit fee, as amended by decree No.  
101-SL/TC of August 3, 1968,

After debate by the Council of Ministers,

DECREES THE FOLLOWING:

Art. 1 - The rates of the exit permit for travel to  
foreign countries are revised as follows:

- 50,000\$VN for each person and each country to be  
visited, if the duration of the visit does not exceed  
one month,
- 75,000\$VN for each person and each country to be  
visited, if the duration of the visit is from one  
month one day to two months,
- 100,000\$VN for each person and each country to be  
visited, if the duration of the visit is from two  
months one day to three months.
- ; children under ten years of age (counting by the year  
of birth) shall pay one half of the above fees.

Art. 2 - All previous dispositions contrary to the present decree are hereby rescinded.

Art. 3 - The Minister of Finance, the Minister of the Interior, the Secretary of State for Executive Affairs at the Prime Minister's Office, shall carry out the execution of the present decree, as far as their duties are concerned.

The present decree shall be published in the Official Journal of the Republic of Vietnam.

Saigon, 13 December 1969

s/ Tran thien Khiem



Prime Ministry  
No. 197-SL/PTST

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

Considering decree No. 394-TT/SL of September 1, 1969  
fixing the composition of the Government,

Considering decree-law No. 33/67 of August 29, 1967  
promulgating the Statute determining the special rights  
reserved to the Ethnic Minorities,

DECREES THE FOLLOWING:

Art. 1 - The responsibilities of the Minister for Ethnic  
Development are determined as follows:

- To implement Government policies concerning ethnic minorities,
- To establish plans as appropriate to the ambience of each ethnic minority, in order to improve the people's welfare and increase their morale,
- To carry out the programs especially reserved to the ethnic minorities with the contribution of ideas and material assistance by the Ministries and technical agencies,
- To advise in drafting plans and programs of the Ministries concerning ethnic minorities,

- To insure the traditions, customs and land property rights of the ethnic minorities are respected within the national laws,
- To research historic documents on the ethnic minorities civilizations,
- To aid the Preservation of Vestiges Agency in the protection of historic vestiges of the ethnic minorities civilization,
- To advise and assist the Archeology Institute in the establishment of a Human Race Museum, and to study the ethnic minorities civilizations in Vietnam,
- To give advice on the establishment of a plan for maintaining order and security in the areas inhabited by ethnic minority groups,
- To consult on the organization, encampments and use of units of ethnic minorities regional forces,
- To organize the management and to mobilize the Highlander cadres in their operations at the hamlets,
- To recommend or consult in the choice and appointment of notables and officials of ethnic minority origin to local administrative supervisory positions according to the regulations in force,
- To carry out, in cooperation with the interested ministries, the programs for economic development, handicraft progress, agriculture improvement and animal husbandry and breeding in the zones inhabited by ethnic minority groups,
- To establish and implement social welfare and relief programs for ethnic minority citizens,

- To cooperate with the technical Ministries concerned in the following matters: relief for ethnic minority citizens fleeing the Communists, relief for the poor and subsidy for ethnic minority organizations.

Art. 2 - All previous texts contrary to the spirit of the present decree are hereby abolished.

Art. 3 - The Vice Prime Minister, Ministers of State, Ministers, Secretaries of State and Vice-Ministers are charged, each as to that which concerns him, with the execution of the present decree.

The present decree shall be published in the Official Journal of the Republic of Vietnam.

Saigon, 22 December 1969

s/ Tran thien Khiem

Prime Minister's Office  
No. 200-SL/Th.T/PC1

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

Considering Decree No. 394-TT/SL of September 1, determining  
the composition of the Government,

Considering the letter No. 024-PTT/VP of December 16, 1969  
of the President of the Republic of Vietnam,

DECREES THE FOLLOWING:

Art. 1 - Now is hereby established an Interministerial  
Committee comprising:

- |   |                     |
|---|---------------------|
| - The Secretary of State for Executive Affairs<br>at the Prime Minister's Office                              | Chairman            |
| - The Director General of Budget & Foreign Aid  | Member              |
| - The Secretary General or a corresponding<br>official at each Ministry or Office of the<br>Minister of State | Member              |
| - The Director General of Civil Service   | Reporting<br>Member |

Art. 2 - The Committee has the duty to study and draft:

- A decree for amendment of Decree No. 175-NV of 23 May 1955 determining position salaries and the various allowances in money and in kind to high ranking civil servants and employees holding supervisory positions in the public services,

- A law determining the pay and allowances system to leaders of all levels, to all appointed and elected people and to servicemen, civil servants and cadres of various branches, especially the social security system to be applied to servicemen, civil servants and cadres.

Art. 3 - In addition to the components listed in Art. 1, the committee chairman may invite experts in all fields to attend the meeting in order to obtain their opinion.

Art. 4 - The Vice Prime Minister, Ministers of State, Ministers and the Secretary of State at the Prime Minister's Office are charged, each as to that which concerns him, of the execution of the present decree.

Saigon, 22 December 1969

s/ TRAN THIEN KHIEM

Prime Ministry  
No. 201-SL/PTNT

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of  
Vietnam, dated April 1, 1967,

Considering decree No. 394-TT/SL of September 1, 1969  
fixing the composition of the Government,

Considering decree No. 156-XDNT of July 30, 1965  
determining the responsibilities of the Revolutionary  
Development Ministry,

Considering Decree No. 691-TT/SL of December 15, 1969  
changing the name of Revolutionary Development  
Ministry to Ministry of Rural Development,

DECREES THE FOLLOWING:

Art. 1 - The responsibilities of the Minister for  
Rural Development are hereby fixed as follows:

- To plan a village, hamlet and city neighborhood  
development program aiming to improve the citizens'  
welfare,
- To administer and train the Rural Development  
and People's Desire teams, and to set up for them  
a program of action designed to activate the  
popular organizations for village, hamlet and city  
neighborhood development,
- To provide necessary means and funds to the regions  
within the duty of the Rural Development Ministry,

- To orient, follow up and review the implementation of the programs already approved.

Art. 2 - All previous dispositions contrary to the spirit of the present decree are hereby rescinded.

Art. 3 - The Vice Prime Minister, Ministers of State, Ministers, Secretaries of State, and Vice Ministers are charged, as far as their duties are concerned, with the execution of the present decree.

The present decree shall be published in the Official Journal of the Republic of Vietnam.

Saigon, 23 December 1969

s/ Tran thien Khiem

Office of the Prime Minister  
No. 043-ND/ThT/BDPT/TU

THE PRIME MINISTER

. . . . .  
. . . . .

ENACTS:

Article 1. Hereby create a committee consisting of:

- Minister of Interior or his representative..... Chairman
- Representative/Finance Ministry..... Member
- Representative/Agrarian Reform and Fisheries  
Agriculture Development..... Member
- Representative/R.D. .... Member
- Representative/Information Ministry ..... Member
- Representative/Taxation Directorate ..... Member
- Representative/DGBFA ..... Member
- Representative/Pacification and Development  
Coordination ..... Member
- An official/MOI ..... Secretary

Article 2. This committee has the responsibility

1. To draft laws and statutory texts with a view to:

- Increasing financial capability of villages, so that they can attain sufficient means for autonomy, concurrently with the increase in authority from the standpoint of administration and security, by reallocating the receipts to which the villages are so far not entitled, or are entitled part of it only.
- Fixing a compensation amount to be paid to village/hamlet officials credited with good performance in the collection of taxes.



- Simplifying financial procedures with respect to expenditures - receipts at village level, increasing financial responsibility and payment authority to village officials.
- Combining all laws concerning land tax, urban land tax into one single law for easy implementation. This law will be applicable nationwide, except Saigon/Gia Dinh which is governed by special provisions.
- Refixing the tax for registration of properties and services, insuring the collection of this tax.
- Eliminating any direct taxes which are no longer considered realistic resources.
- Fixing the time-limit for collecting each tax.

2. To study and recommend the following:

- Modification of rates of miscellaneous taxes and fees for villages.
- Training of village/hamlet officials in the establishment of tax rolls and collection of local taxes; specialists of the Directorate General for Taxation will come to villages to guide village/hamlet officials in the above duties.
- Curtailment of government subsidies to villages in accordance with the new procedures for allocation of resources, so that they can achieve self-sufficiency in financial domain; fixing criteria for subsidy.
- Bringing up to date of land registers, land tax rolls. Personnel of the Ministry of Agrarian Reforms, and Development of Agriculture/Fisheries are sent to provinces to perform these duties.
- Bringing up to date of licence tax rolls.

- Establishment of programs of public information, education and motivation to get the people to become aware of their civic obligation and to make their contribution toward the support of village/hamlet administration.

Article 3. If required, the Committee chairman may establish several sub-committees, each sub-committee will be in charge of one or several definite matters.

The committee will meet upon convocation of its chairman and it must fulfill its duties before 1 April 1970.

Essential recommendations will be submitted to the Prime Minister before 1 April 1970 for consideration and implementation procedure will be established.

Article 4. The Interior Minister, Finance Minister, Agrarian Reform, Agriculture and Fisheries Development Minister, R. D. Minister, Information Minister, Executive Minister at the Prime Minister's Office, Director General of Budget and Foreign Aid are charged, each as to that which concerns him, with the execution of this Arrête.

Saigon, 12 January 1970

s/Tran Thien Khiem

Prime Ministry  
No. 1340-ND/BDPT

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

Considering decree No. 394-TT/SL of Sept. 1, 1969 fixing  
the composition of the Government,

Considering decree No. 155-SL/BDXD of Nov. 9, 1968 and  
subsequent texts establishing the Pacification and (Re)  
construction Councils at various levels,

Considering decree No. 626-a/TT/SL of Nov. 15, 1969  
transforming the name of the Pacification and (Re) con-  
struction Councils into Pacification and Development  
Councils,

ENACTS THE FOLLOWING ARRETE:

Art. 1 - An interministerial committee bearing the name  
of National Interministerial Committee for Distribution  
of Manpower Resources is hereby established.

Art. 2 - The National Interministerial Committee for  
Distribution of Manpower Resources is put under the  
direct jurisdiction of the Central Pacification and  
Development Council.

Art. 3 - The composition of the National Committee for  
Distribution of Manpower Resources is as follows:

- |   |                   |
|---|-------------------|
| - The Prime Minister of the Government  | Chairman          |
| - The Minister of National Defense  | Secretary General |
| - The Minister of Labor   | Member            |
| - The Minister of War Veterans  | Member            |
| - The Chief, Joint General Staff, RVNAF                                       | Member            |
| - The Secretary of State for Executive Affairs at the Prime Minister's Office | Member            |
| - The Vice Minister of the Interior   | Member            |

In addition, the Committee may invite the Ministers of State, Ministers, Secretaries of State, Vice Ministers and representatives of the agencies concerned to attend the meeting: to give their opinions whenever deemed necessary.

Art. 4 - The National Committee for Distribution of Manpower Resources has the following responsibilities:

- a. To determine general policies relative to the distribution of national manpower resources
- b. To coordinate government and private activities with the aim of coordinating the use of manpower resources
- c. To determine general standards for classification of government and private agencies in the implementation of the general mobilization law.

Art. 5 - The National Committee for Distribution of Manpower Resources has a Permanent Bureau composed of the following:

- |  |                 |
|--|-----------------|
| - The Chief or Deputy Chief, Central Center<br>for Coordination of Pacification and<br>Development | Bureau<br>Chief |
| - A representative of the Ministry of Interior   | Member          |
| - A representative of the Ministry of National<br>Defense  | Member          |
| - A representative of the Ministry of Labor  | Member          |
| - A representative of the Joint General Staff,<br>RVNAF  | Member          |
| - The Director General of Civil Service  | Member          |

Art. 6 - The Vice Prime Minister, Ministers of State, Ministers, Secretaries of State, Vice Ministers, the Chief, Joint General Staff, RVNAF, and the Director General of Civil Service, are charged, each as to that which concerns him, with the execution of the present arrete.

The present arrete shall be published in the Official Journal of the Republic of Vietnam.

Saigon, 17 December 1969

s/ Tran thien Khiem

Prime Ministry  
No. 192-TT/Th.T/CV

CIRCULAR NOTE

THE PRIME MINISTER OF THE GOVERNMENT,

TO: The Vice Prime Minister, Ministers of State,  
Ministers, Secretaries of State, Vice  
Ministers

SUBJ: Use of personnel - Recommendation for  
Supervisory Positions and Detail of  
Personnel

- I. Some time ago, I have found that the utilization and assignment of personnel to key positions at central and regional agencies were not logical and often contrary to regulations.

On the use of personnel, there are many cases of personnel of one branch who are assigned jobs of another branch, such as nurses or teachers performing secretarial jobs, cadres performing the duties of administrative clerks, etc.

On the assignment to supervisory functions, a number of civil servants of lower cadre are assigned to the positions which must be reserved to the civil servants of a higher cadre, as provided by special statutes.

Under these conditions the performance of duties

cannot be efficient, and at the same time discontent and inactivity may result in the internal functioning of government agencies.

In order to insure the proper use of manpower according to abilities, to put the right man in the right place, to make the administrative machinery more efficient, and to realize broad and sound reforms in various fields, I kindly turn your attention to apply firmly the following principles of personnel management:

1. For the logical use of personnel, it is necessary to distinguish between two kinds of positions: administrative and technical:

- positions or jobs in the administrative field must be assigned to civil servants of administrative cadres;
- positions or jobs which have a technical character should be assigned to civil servants of the technical cadres concerned.

All Ministries and Agencies must review and regularize their use of manpower according to the above standards.

2. For the functioning of a Service to achieve best results, it is necessary to respect these two basic criteria when assigning personnel to supervisory positions:

- cadre and grade
- ability and good behavior

The criteria "ability and good behavior" have

been noted previously by the Prime Ministry in Circulars No. 108-TT/Th.T/PC1 of June 24, 1968, No. 237-TT/Th.T/PC1 of May 19, 1969.

In regard to the criteria of cadre and grade, the special statutes of each administrative and technical cadre contain provisions specifying clearly what positions may be reserved to cadre grade; it is mandatory to respect these provisions.

If there are several candidates who meet the minimum requirements of cadre and grade, the priority of choice shall be reserved to the candidate with the highest grade and step, or with the highest seniority among the competitors having the same grade and step.

The assignment of a civil servant holding a supervisory position to a higher one should be made only after a minimum duration of two years in the lower position.

- II. In addition, to avoid the dissemination of personnel of technical cadres, the detail of personnel of one branch to another must be restricted to the minimum.

Details may be considered only in special cases.

On the other hand, in order to reduce the number of personnel now on detail, the agencies which have received them should arrange for their replacement and for their return to the original branches.

So I kindly request that you give instructions to your



dependent agencies to review and regularize the use of manpower according to the above specifications, within 3 months from the date of signature of the present Circular.

After this time-limit, the Directorate General of Civil Service and the Directorate General of Budget and Foreign Aid, which have the responsibilities to make pre-controls, shall refute all cases of assignments contrary to the present circular.

Saigon, 16 December 1969

s/ Tran thien Khiem

Prime Ministry  
No. 4272-Th.T/QTCS

THE PRIME MINISTER OF THE GOVERNMENT,

TO: The President of the Republic of Vietnam

SUBJ: Realization of the Personnel Allocation  
List

Mr. President,

In order to improve the administrative machinery by means of proper utilization of personnel, improving standards for civil servants, increasing operational efficiency to serve the people effectively, and for the purpose of implementing the President's directives given in the session of 15 October 1969 of the Council of Ministers, I plan to put into effect in 1970 a certain number of operations, namely: review and determination of the procedures for recruitment and choice of supervisory personnel in administrative and technical fields; establishment of standards for organizing the Ministries and Agencies; establishment and approval of personnel allocation lists; study and appropriate action on a position classification system.

1. Recruitment and choice of Supervisory Personnel

In recent years, with successive changes of government and with some Ministry leaders paying little respect to standards for appointment of key personnel, the efficiency of the Civil Service has decreased due to a lack of ability and confidence in a number of personnel holding supervisory positions.

In the current situation more than at any time, instead of acting as examples in every field and as leaders encouraging their employees to give all their attention to their work, on the contrary many of them have failed in this responsibility, thus creating poor morale, inequities and discontent.

This is a preliminary measure, for only the proper use of manpower by putting the right man in the right place may give hopes for further improvement. For the purpose of providing the administrative machinery with able leaders at all levels and with an objective choice for appointment of key personnel, I shall establish a Civil Service Committee to carry out the study for a list of candidates to be recommended for vacant administrative positions, according to the following principles: the administrative positions (Personnel, Budget, Accounting, Logistics...) shall be reserved to civil servants of Central Administrative Cadres. (The civil servants of technical cadres shall carry out technical jobs only).

As for the positions of Bureau Chiefs and Service Chiefs, Ministers and Secretaries of State concerned have the right to make their choice according to established standards.

For the Directors, Deputy Directors General and equivalent positions, the Committee shall recommend candidates meeting requirements to the Ministers and Secretaries of State concerned for choice and appointment.

In addition to these advantages, the above procedures also help maintain the morale of supervisory officials, encouraging them to fulfill their jobs and thus creating a continuity in the service.

I also desire a study to determine appointment procedures and responsibilities of the Personnel Directors in the Ministries toward the Ministries concerned, and towards the Directorate General of Civil Service in the implementation of Civil Service policy and the standardization of personnel management.

2. Establishment of Standards for Organizing Ministries and Agencies

In order to avoid a change in the organization of a Ministry each time a change of Minister occurs, which creates operational difficulties and influences the general efficiency, and to establish a Staffing Pattern for the agencies, I feel it necessary to set standards to stabilize the organization of the Ministries.

For some time the general trend of the Ministries has been to enlarge their organization and to increase employee benefits, thus increasing operational expenditures.

On that point, there are many problems to be discussed, namely:

- whether it is convenient to keep the traditional organization with the positions of Director of Cabinet and Secretary General, or to adopt the Assistant system;
- to determine the number of Political Personnel for the Cabinet of each Ministry;
- to consolidate the organizations in charge of correspondence, archives, library, planning, budget, personnel, accounting, logistics, training and inspection in the Ministries;

- to determine the number of Technical Directorates and Services in each Ministry;
- to reduce intermediary levels: Deputy Director General, Deputy Secretary General, Deputy Director, Deputy Bureau Chief, Assistant, etc...
- to determine equal benefits for equivalent Ministry positions (such as inspectors, experts...)

It is necessary for all Ministries and agencies to contribute to the development of a model of procedures and standards.

### 3. Determination of Personnel Authorization Lists

When the organization of the agencies become stable, we may take up the personnel authorization lists.

In 1969, the Ministries and agencies established authorization lists, but the results did not achieve the goals because of:

- Lack of attention, encouragement and follow-up from Ministry leaders,
- Neglect on the part of supervisors, and no real improvement reached,
- Lack of enthusiasm from staff personnel to whom the aim of the listing were not clearly explained, and to whom no guidance was provided,
- Working methods were not studied and simplified, so that there was no reduction of personnel,
- Lack of trained personnel, so that the results were very poor despite the use of a large number of employees,

- Due to the reorganization of some Ministries, it was necessary to re-establish the authorization lists.

As result, instead of a reduction in personnel, Ministries and agencies have asked an increase and the Central Allocation Committee faced this difficult situation: Instead of reviewing the authorization lists for amendment and approval only, the Committee has to coordinate with the Ministries to regularize lists failing to follow the model or lacking justification. Furthermore, the time for review of the lists coincided with the budget drafting and the Budget comptrollers did not have time to review the authorization lists.

Now, having occasion to review the problem of personnel appointment and agency organization, I feel it necessary to outline a program for the re-establishment and completion of the authorization lists, on the basis of previous results, within the time-limit set up by the President in his speech of October 6, 1969.

#### 4. Study of the Position Classification System

When the three above operations have been achieved, the Prime Ministry will begin a study to classify personnel by job, to give civil servants the means of serving according to their abilities and enjoying commensurate benefits.

This system, foundation of a progressive personnel management, is applied by many nations and will replace the current classification of employees by cadres and grade based on diplomas. This project will require a period of 2 or 3 years for study and preparation for implementation, with the assistance of foreign experts.

Within the current framework of the Civil Service, in order to establish favorable conditions for administrative improvement, I think that any change must have the approbation of the President and the cooperation of all Cabinet members.

The above mentioned four changes, although reported separately, are in fact intimately bound together, and must be properly applied in all agencies in order to reach positive results.

I respectfully propose to the President to bring these matters to debate in a meeting of the Ministers Council. Therefore, the Prime Ministry shall rely on the decisions of the Council and shall recommend their appropriate execution.

Respectfully yours,

Saigon, 23 Dec. 1969

s/ Tran thien Khiem

## VILLAGE AND HAMLET ELECTIONS

### FOREWORD

Following the election of the National Constituent Assembly in September 1966, the Government of the Republic of Vietnam took the first steps toward restoring the village and hamlet administrative institutions to their autonomous positions within the national community. Documents were issued in December 1966 reorganizing the administration of villages and hamlets and providing for election of village and hamlet officials. In areas under Government control and where security conditions permitted, elections for village officials were held during the period of April 2-30, 1967, and for hamlet officials during the period of May 14 - June 11, 1967, in a total of 984 villages and 4,608 hamlets. (Public Administration Bulletins No. 38 and No. 40). Since that time additional elections have been held progressively as security conditions have been improved and extended.

The following pages record the status of village/hamlet administration at the beginning of 1970 and are a measure of the progress achieved during the interim period.

\*All of Vietnam, outside of Saigon and the 5 autonomous cities, is divided into villages which in turn are sub-divided into hamlets. The total number of geographic villages and hamlets are indicated in columns (2) and (9) respectively. However, some of these villages and hamlets are in remote or uninhabited areas (often free strike zones) and as a practical matter, are not capable of maintaining a local administration at the present time. The lesser figures in columns (3) and (10) indicate the total number of active or functioning villages in Vietnam. Although minor inconsistencies may be noted in the figures reported, these statistics are provided by the Ministry of Interior and are current as of December 31, 1969.



# V I L L A G E S

	:	:	:	:	:	Ap- :	Ap- :	:
	:	Total :	Total :	Elected:	Elected:	pointed:	pointed:	No
C O R P S	:	:	:	Govt. :	Govt. :	Govt. :	Govt. :	Govt.
	:	Number:	Active:	in	in	in	in	Yet
	:	:	:	Place	Exile	Place	Exile	:
(1)	:	(2)* :	(3)* :	(4)	(5)	(6)	(7)	(8)
I CTZ	:	565:	458:	383:	36 :	4 :	35 :	0
II CTZ	:	748:	581:	570:	9 :	0 :	1 :	1
III CTZ	:	463:	386:	369:	9 :	4 :	4 :	0
IV CTZ	:	782:	726:	672:	0 :	22 :	20 :	12
TOTAL	:	2,558:	2,151:	1,994:	54 :	30 :	60 :	13

# H A M L E T S

	:	:	:	:	:	Ap- :	Ap- :	:
	:	Total :	Total :	Elected:	Elected:	pointed:	pointed:	No
C O R P S	:	:	:	and :	but :	and :	but :	Govt.
	:	Number:	Active:	in	in	in	in	Yet
	:	:	:	Place	Exile	Place	Exile	:
	:	(9)* :	(10)* :	(11)	(12)	(13)	(14)	(15)
I CTZ	:	2,442:	1,792:	1,656:	106 :	13 :	17 :	0
II CTZ	:	3,934:	2,754:	2,715:	18 :	0 :	5 :	16
III CTZ	:	2,186:	1,718:	1,668:	7 :	5 :	36 :	2
IV CTZ	:	5,263:	4,242:	3,674:	15 :	94 :	150 :	309
TOTAL	:	13,825:	10,506:	9,713:	146 :	112 :	208 :	327

\* See footnote on first page

# V I L L A G E S

I CTZ	:Total	:Total	:Elected	:Elected	:pointed	:pointed	:No
PROVINCE	:Number	:Active	: in	: in	: in	: in	:Govt.
			: Place	: Exile	: Place	: Exile	: Yet
(1)	: (2)*	: (3)*	: (4)	: (5)	: (6)	: (7)	: (8)
Quang Nam	: 141:	114:	89 :	7 :	4 :	14 :	0
Quang Ngai	: 159:	122:	98 :	0 :	0 :	24 :	0
Quang Tin	: 86:	69:	40 :	29 :	0 :	0 :	0
Quang Tri	: 84:	71:	71 :	0 :	0 :	0 :	0
Thua Thien	: 95:	85:	85 :	0 :	0 :	0 :	0
TOTAL	: 565:	461:	383 :	36 :	4 :	38 :	0

# H A M L E T S

I CTZ	:Total	:Total	:Elected	:Elected	:pointed	:pointed	:No
PROVINCE	:Number	:Active	: in	: in	: in	: in	:Govt.
			: Place	: Exile	: Place	: Exile	: Yet
	: (9)*	: (10)*	: (11)	: (12)	: (13)	: (14)	: (15)
Quang Nam	: 553:	311:	286 :	21 :	4 :	0 :	0
Quang Ngai	: 499:	318:	318 :	0 :	0 :	0 :	0
Quang Tin	: 407:	312:	227 :	85 :	0 :	0 :	0
Quang Tri	: 510:	451:	451 :	0 :	0 :	0 :	0
Thua Thien	: 473:	400:	374 :	0 :	9 :	17 :	0
TOTAL	: 2,442:	1,792:	1,656 :	106 :	13 :	17 :	0

\* See footnote on first page

# V I L L A G E S

II CTZ	:Total	:Total	:Elected	:Elected	:pointed	:pointed	:No.
			: Govt.	: Govt.	: Govt.	: Govt.	:Govt.
PROVINCE	:Number	:Active	: in	: in	: in	: in	:Yet
			: Place	: Exile	: Place	: Exile	
(1)	:(2)*	:(3)*	:(4)	:(5)	:(6)	:(7)	:(8)
Binh Dinh	: 168	: 99	: 99	: 0	: 0	: 0	: 0
Binh Thuan	: 55	: 53	: 53	: 0	: 0	: 0	: 0
Darlac	: 62	: 47	: 46	: 0	: 0	: 1	: 0
Khanh Hoa	: 69	: 65	: 65	: 0	: 0	: 0	: 0
Kontum	: 105	: 79	: 79	: 0	: 0	: 0	: 0
Lam Dong	: 24	: 23	: 23	: 0	: 0	: 0	: 0
Ninh Thuan	: 27	: 27	: 26	: 0	: 0	: 0	: 1
Phu Bon	: 36	: 31	: 31	: 0	: 0	: 0	: 0
Phu Yen	: 55	: 49	: 49	: 0	: 0	: 0	: 0
Pleiku	: 101	: 72	: 63	: 9	: 0	: 0	: 0
Quang Duc	: 18	: 12	: 12	: 0	: 0	: 0	: 0
Tuyen Duc	: 28	: 24	: 24	: 0	: 0	: 0	: 0
TOTAL	: 748	: 581	: 570	: 9	: 0	: 1	: 1

\* See footnote on first page

# H A M L E T S

II CTZ	:Total	:Total	:Elected	:Elected	:pointed	:pointed	:No.
PROVINCE	:Number	:Active	: in	: in	: in	: in	:Govt.
	: (9)*	: (10)*	: (11)	: (12)	: (13)	: (14)	: (15)
Binh Dinh	: 1,094	: 650	: 650	: 0	: 0	: 0	: 0
Binh Thuan	: 187	: 173	: 173	: 0	: 0	: 0	: 0
Darlac	: 407	: 337	: 318	: 0	: 0	: 5	: 14
Khanh Hoa	: 280	: 273	: 273	: 0	: 0	: 0	: 0
Kontum	: 558	: 283	: 283	: 0	: 0	: 0	: 0
Lam Dong	: 92	: 87	: 87	: 0	: 0	: 0	: 0
Ninh Thuan	: 120	: 122	: 122	: 0	: 0	: 0	: 0
Phu Bon	: 135	: 132	: 132	: 0	: 0	: 0	: 0
Phu Yen	: 326	: 238	: 238	: 0	: 0	: 0	: 0
Pleiku	: 496	: 300	: 282	: 18	: 0	: 0	: 0
Quang Duc	: 61	: 49	: 49	: 0	: 0	: 0	: 0
Tuyen Duc	: 178	: 108	: 108	: 0	: 0	: 0	: 0
TOTAL	: 3,934	: 2,752	: 2,715	: 18	: 0	: 5	: 14

\* See footnote on first page

# V I L L A G E S

III CTZ	:Total	:Total	:Elected	:Elected	:Ap-	:Ap-	:
PROVINCE	:Number	:Active	:Govt. in	:Govt. in	:Govt. in	:Govt. in	:Govt. Yet
(1)	:(2)*	:(3)*	:(4)	:(5)	:(6)	:(7)	:(8)
Bien Hoa	: 72	: 65	: 65	: 0	: 0	: 0	: 0
Binh Duong	: 52	: 40	: 38	: 0	: 2	: 0	: 0
Binh Long	: 29	: 22	: 22	: 0	: 0	: 0	: 0
Binh Tuy	: 19	: 4	: 4	: 0	: 0	: 0	: 0
Gia Dinh	: 73	: 71	: 71	: 0	: 0	: 0	: 0
Hau Nghia	: 24	: 20	: 20	: 0	: 0	: 0	: 0
Long An	: 81	: 78	: 66	: 9	: 0	: 3	: 0
Long Khanh	: 19	: 19	: 17	: 0	: 2	: 0	: 0
Phuoc Long	: 19	: 7	: 7	: 0	: 0	: 0	: 0
Phuoc Tuy	: 29	: 22	: 22	: 0	: 0	: 0	: 0
Tay Ninh	: 46	: 28	: 27	: 0	: 0	: 1	: 0
TOTAL	: 463	: 386	: 369	: 9	: 4	: 4	: 0

\* See footnote on first page

# HAMLETS

III CTZ	:	:	:	:	:	Ap-	:	Ap-	:
PROVINCE	:	Total	Total	Elected	Elected	pointed	:	pointed	No
	:	:	:	and	:	but	:	and	but
	:	Number	Active	in	:	in	:	in	Govt.
	:	:	:	Place	:	Exile	:	Place	Exile
	:	(9)*	:	(10)*	:	(11)	:	(12)	:
	:	:	:	:	:	:	:	:	:
	:	:	:	:	:	:	:	:	:
Bien Hoa	:	207:	196:	196:	0	:	0	:	0
Binh Duong	:	286:	125:	120:	0	:	4	:	1
Binh Long	:	104:	104:	104:	0	:	0	:	0
Binh Tuy	:	72:	58:	58:	0	:	0	:	0
Gia Dinh	:	342:	341:	341:	0	:	0	:	0
Hau Nghia	:	212:	133:	133:	0	:	0	:	0
Long An	:	493:	384:	340:	7	:	1	:	35
Long Khanh	:	101:	95:	95:	0	:	0	:	0
Phuoc Long	:	116:	56:	56:	0	:	0	:	0
Phuoc Tuy	:	106:	106:	106:	0	:	0	:	0
Tay Ninh	:	147:	120:	119:	0	:	0	:	0
TOTAL	:	2,186:	1,718:	1,668:	7	:	5	:	36
	:					:		:	2

\* See footnote on first page

# VILLAGES

IV CTZ	:Total	:Total	:Elected	:Elected	:Ap-	:Ap-	:No
PROVINCE	:Number	:Active	:Govt. in	:Govt. in	:Govt. in	:Govt. in	:Govt. Yet
(1)	: (2)*	: (3)*	: (4)	: (5)	: (6)	: (7)	: (8)
An Giang	: 38	: 38	: 38	: 0	: 0	: 0	: 0
An Xuyen	: 23	: 18	: 9	: 0	: 7	: 2	: 0
Ba Xuyen	: 49	: 51	: 46	: 0	: 3	: 0	: 2
Bac Lieu	: 20	: 18	: 15	: 0	: 0	: 0	: 3
Chau Doc	: 57	: 57	: 57	: 0	: 0	: 0	: 0
Chuong Thien	: 35	: 31	: 28	: 0	: 1	: 2	: 0
Dinh Tuong	: 93	: 78	: 78	: 0	: 0	: 0	: 0
Go Cong	: 32	: 32	: 32	: 0	: 0	: 0	: 0
Kien Giang	: 42	: 42	: 37	: 0	: 0	: 0	: 5
Kien Hoa	: 115	: 98	: 74	: 0	: 10	: 12	: 2
Kien Phong	: 51	: 51	: 51	: 0	: 0	: 0	: 0
Kien Tuong	: 26	: 17	: 17	: 0	: 0	: 0	: 0
Phong Dinh	: 44	: 42	: 38	: 0	: 0	: 4	: 0
Sa Dec	: 36	: 36	: 36	: 0	: 0	: 0	: 0
Vinh Binh	: 56	: 52	: 51	: 0	: 1	: 0	: 0
Vinh Long	: 65	: 65	: 65	: 0	: 0	: 0	: 0
TOTAL	: 782	: 726	: 672	: 0	: 22	: 20	: 12

\* See footnote on first page

# HAMLETS

IV CTZ	: Total	: Total	: Elected	: Elected	: Ap-	: Ap-	: No
PROVINCE	: Number	: Active	: and in	: but in	: and in	: but in	: Govt. Yet
(1)	: (9)*	: (10)*	: Place (11)	: Exile (12)	: Place (13)	: Exile (14)	: (15)
An Giang	: 254:	254:	254:	0	: 0	: 0	: 0
An Xuyen	: 298:	176:	121:	0	: 7	: 1	: 47
Ba Xuyen	: 434:	291:	265:	0	: 9	: 1	: 16
Bac Lieu	: 230:	195:	136:	5	: 4	: 1	: 49
Chau Doc	: 268:	273:	268:	3	: 2	: 0	: 0
Chuong Thien	: 242:	168:	149:	0	: 0	: 0	: 19
Dinh Tuong	: 626:	460:	417:	0	: 12	: 0	: 31
Go Cong	: 306:	259:	258:	1	: 0	: 0	: 0
Kien Giang	: 247:	215:	199:	0	: 0	: 0	: 16
Kien Hoa	: 835:	611:	371:	0	: 40	: 146	: 54
Kien Phong	: 215:	208:	208:	0	: 0	: 0	: 0
Kien Tuong	: 83:	59:	59:	0	: 0	: 0	: 0
Phong Dinh	: 301:	247:	205:	6	: 1	: 1	: 34
Sa Dec	: 129:	129:	129:	0	: 0	: 0	: 0
Vinh Binh	: 512:	409:	347:	0	: 19	: 0	: 43
Vinh Long	: 282:	278:	278:	0	: 0	: 0	: 0
TOTAL	: 5,262:	4,232:	3,664:	15	: 94	: 150	: 309

\* See footnote on first page



## Political Parties and Political Life in Vietnam

An Address by Professor Nguyen van Bong  
Rector of National Institute of Administration

One day, in an informal discussion, an antiguerrilla official told us: "You may visualize a house or, more concretely, a kitchen where exist all kinds of food and utensils such as bread, eggs, butter, coffee, milk, gas stove, black pepper, etc... and that is the dwelling of both sexes, men and women. Yet in the morning there is nothing prepared for breakfast. No fried or scrambled eggs, no coffee made. And that is a caricature of current Vietnam."

This illustration is rather distorted, for its author wanted to stress a confused and disorderly political situation of Vietnam - a potentially rich country abounding in talented people yet plunged deep into an endless war. What is the real cause of such confusion?

One of the deep causes weakening our political life is the absence of a well organized system of political parties to bear the foundations for proper political activities. The existence of strong political parties is not only a basic requirement for strong political life, but also is vital to Vietnam in its struggle for securing national freedom.

It is in this direction that we wish to present the following points:

1. Political parties as vital nuclei of political life.
2. Political parties vis-a-vis the present situation of the Nation.

### I. Political parties as vital nuclei of political life

Political parties are expedient means and tools for

political participation. Vietnam's current democratic regime would not take deep roots in the people nor subsist if political parties are absent as agencies for motivating and focusing public opinion. If there are no political parties and if they are not strongly organized and effectively operated, the future of our democratic regime will be darkened and the political life of our Nation precarious. We may compare the relationship of the nation to political parties as the relationship of a living man to his heart or stomach. Our heart and stomach have so often made us suffer. And nobody can think that a man can live without a heart or a stomach. It is the same with political parties. They are sources of worries and sometimes turn to be pretty great obstacles to political life, but it is impossible to conceive an effective democratic regime, a free and proper political organization, if no political parties exist since they are vital to real political life.

- A. They provide political training to the citizens and educate future leaders of the Nation.

This is one of the most important roles but often overlooked when speaking about political parties. And this is a mission altogether great and practical. In fact, in a democratic regime, there are two different trends of thoughts regarding the role of the government: One opinion holds that anyone can make politics and in a democratic country, anyone can do anything he wants. Another opinion claims that government is something very complicated and only those who know it, who have much experience with it, and possess high levels of education, can make use of it. Those are two extremes to be rejected. The proper and realistic concept is that government can be practiced by

anyone having a minimum required knowledge in political matters. And this minimum of knowledge is actually taught in the school of political parties. Why?

Because a political party always has to deal with problems of organization, public information, interpretation, motivation, decision making... in brief, all problems similar to those a politician would encounter and would have to solve.

Naturally, in his capacity as a party member, a man can have different points of view or political concepts or solutions which could be extremes or erroneous. Nevertheless, as regards political knowledge, it is certain that a citizen who participates and works for a political party would better understand political questions than another citizen who is not a member of a political party. In fact, political parties are the proper stage where government problems play to the level of understanding of all citizens. The majority of the people of a nation cannot understand government problems which are more and more complicated and technical. It is the mission of the political parties to keep them informed, and they can keep them informed. The more complicated and arduous the tasks of the government, the deeper and more adequate their information and interpretation should be. The citizens like and pay attention only to what they know, and can control only what they understand. They may not grasp all political decisions in detail, but can comprehend the real causes and reasons of these decisions, and hence, can judge solutions proposed by the government. In brief, political parties are the kilns for political cadres, and schools to train citizens in politics and produce future leaders.

The political life of a nation consists of many important affairs which are not routine or technical, but selective: war and peace, neutrality or leaning to left or right, planned economic policies dominated by the state or giving complete freedom for private enterprises, a policy for distribution of incomes to bear down on or giving privileges to some class of the people in the society, investments which promote developing conditions for the nation, etc... Solving these basic selective problems is the job of a politician. This ability for decision-making regarding basically selective problems with a panoramic overview of all problems in general and this courage to decide, are the prerequisite qualifications of a politician and a national leader.

The leader has not only to decide, but also to convince the representatives of the people and their majority to approve and follow. How to accomplish these important tasks if the government cabinet has a mere executive of non-political character? How can those technicians without adequate political knowledge obtain the support of the majority of congressmen and political groups and mobilize the people to follow?

- B. Criteria for selection: Political parties, like ballots, are tools for selection. To force or entreat citizens to vote is useless if the elections do not really mean actual selection. In elections how can the citizens vote for their representatives or the President if they do not have political parties to present their own candidates and voice their own programs? Indeed, any one individual can be a candidate and can have a good program. But this is a disorderly and ineffective situation since it is hard enough to choose one from just three candidates, or a few political parties.

Political parties are not only criteria in themselves but also play an important role in defining and specifying criteria for selection. The people will make use of these criteria to choose government leaders and voice their aspirations more easily.

Being criteria for selection, political parties also provide standards for the materialization of this selection. The citizens cannot give their faith to a political party and ignore all consequences, but they expect proper materialization of their programs and policies.

In fact, if we look closely at political movements of recent years, we cannot deny that our generation is a generation of universality, of competition, science and technology. The prosperity or deterioration of a regime, the existence or dissolution of a nation no longer depend on a minority of individually talented leaders but depend on the capability of leaders who can mobilize the whole nation and coordinate efforts in the implementation of programs.

A non-political government directed by isolated individuals lacking communication with people's organizations can never mobilize the whole nation. Therefore, in most advanced countries political parties are structural communication media between the public and the government.

This basic data - political parties as foundations of the government and centers for political activities - we find in any political regime, democratic or dictatorial. In totalitarian countries like Russia, Red China, Hitler's Germany, Fascist Italy, or democratic Britain, the United States, or

West European countries, political parties have been the resources for building the government. We recall that when general De Gaulle was not President of France, he always criticized the Fourth French Republic as a partisan regime (to be understood disparagingly). Yet, when in power, he had to organize for his own support a political party which so far has helped the Fifth French Republic to survive.

In a few words, with these missions we just have cited (training the citizens and educating future leaders, setting up criteria for elections) political parties are essential for political activities, because they are the representative organs which consolidate national will, and through which the citizens directly and actively participate in political activities.

## II. Political parties and Vietnam's current situation

Being principal centers for political activities in general, political parties are vital to Vietnam's fledgeling democracy.

### A. Political parties and government structures.

A common democratic regime is a decentralized government. In this regime, the Executive Branch and the Legislative Branch have different missions with the Legislative overseeing the Executive. However, both the Executive and the Legislative must cooperate with each other to solve important national issues.

In advanced countries, the cooperation between the Executive and the Legislative is easily implemented through the media of political parties which make up the government with their members in the Executive Branch and in the Congress. The members of political parties in the Government will have their partisan

Congressman to defend government platforms in Congress, and if they are the majority in the Congress, all government proposed laws will be passed by the Legislative, and all government programs and plans will be approved by the Congress.

With the 1967 constitution, the Republic of Vietnam adopted a decentralized regime, but has no political parties as basic support in the government and the Congress. The current government of Vietnam is a government of specialists. Most of the senators and members of the House are from no political parties. This situation has hampered smooth operation of government machinery in the second Republic of Vietnam.

The first thing we notice is a complete disintegration of tendencies in the Congress. Both the Senate and the House possess many different blocks, without any one of them being stronger than the others. Senators or Representatives in any given bloc have no common platforms among themselves regarding various issues, hence none of the blocs can apply good discipline for decision-making.

Through the various names of the blocs in both chambers, we can realize that there is no bloc in the Senate related to any other blocs in the Lower House. Therefore, there is no structural relationship between the two chambers. And both Legislative chambers have no close cooperation for the implementation of any common legislation. Furthermore, they strongly oppose each other.

Between the government and the Congress, the relationships are no better. There are no political parties working as structural liaison between the Executive and the Legislative, and both become

isolated agencies. Between Legislative personnel and government officials there exists no esprit de corps, they have no joint political program to implement, no support for the government, since Senators or Representatives may be suspected of being bought by the government.

Therefore, even though they realize that the government is right, Congressmen rarely defend government platforms at the National Assembly. As a result, in various discussions regarding proposed laws or recommendations from the government, one would hear more criticism than defense. Hence when a law or recommendation from the government is approved by the National Assembly, the people are rather surprised by such an outcome. And such reaction is rather harmful to Congress' prestige.

On the other hand, since there is no significant group of Senators or Representatives in support of the President helping him to have his bills passed, the President has to resort to his veto power to finally have passed bills deemed necessary for his policies. The use of this veto power has often helped the President to make laws with the cooperation of a minority of Senators and House Representatives at the National Assembly.

B. Political parties and the public.

Disparity of relationship between the Executive and the Legislative, a government without political parties for support, and non political ways of life are very harmful within Vietnam's current situation. Due to lack of coordination



among elite elements and an absence of social activities, the citizens of the nation become indifferent toward public affairs and continue to live unconcerned like irresponsible strangers.

They really continue to "live on the moon", forgetting that today in the United States there is a change of policy and government, forgetting that it is time for them to save themselves. If they are positive that the Allied nations, chiefly the United States, will continue to help them preserve their freedom and self determination - which nobody denies - they must be clear-sighted and add that this help will not be given at any price but, on the contrary, with a condition: South Vietnam must make enough efforts to create favorable conditions to come out victorious in its future political struggle. That is the chief point to be emphasized and it is the key to all the problems.

In fact, there are some people who are hoping for a military victory. Actually, looking straight at the real situation of the enemy and our progress during last year, we know that a military victory is not impossible. Yet it would demand a long time which would not be allowed by the pressure of international circumstances, by the impatience of public opinion in the United States, as well as the aspirations for peace of the Vietnamese people themselves. In addition, the presence of the Paris talks - the fact that the parties involved have agreed to sit at a conference table to seek possible solutions, implies that there must be political solutions. Therefore it is completely unrealistic to wait for a military

victory. Moreover, a military victory will not solve the problems of a struggle in which the decisive factor is the people.

Also unrealistic is the platform of those who, although they understand the importance of future political struggle, still conceive political life as non-political. Pretending that in order to prepare for the future it is sufficient to train good administrators and courageous soldiers, is really exhibiting superficial understanding of the problems. Nobody would deny the importance of administrative and military factors in any unconventional warfare. Yet these are only secondary factors, which cannot by themselves bring about success. The decisive factor always remains a political one.

We must immediately realize that the type of warfare we are fighting is the hardest one. The Communists have found in South Vietnam a favorable ground and circumstances for the application of a type of insurgency warfare. Drawing on experiences from the Korean war as well as from their own, the Communists of North Vietnam refused to wage an open invasion bringing the bulk of their troops down South, and decided to carry out a type of insurgency warfare in which the peasantry will play the major role. It is the countryside which is the battlefield for their political and armed struggle.- the decisive battlefield. Enticing the peasants into this struggle under the false pretext of defending their rights of peasantry, the communist strategy also aims at controlling and making complete use of countryside manpower and resources for this struggle.

This warfare of insurgency, applied to its congenial framework of South Vietnam - an underdeveloped country with only embryonic industries, where peasantry is the majority - has become a struggle for winning support in the countryside. It is at this infrastructure level which encompasses most of South Vietnam that the communist strategists wanted to lay deep roots for future logistical support of North Vietnam's main body of regular forces to back up a general insurrection of the people for the final overthrow of the government of South Vietnam.

And in this general and combined strategy the political factor always plays a top role. The objective of this type of warfare is not to occupy land, nor kill as many enemies as possible, neither capture as many weapons as feasible. The nature of this battle is not the fighting between military units contending for the occupation of a hill top or a few inches of ground. Its main objective is to win the hearts of the people, to occupy the people rather than the ground.

Therefore the battle front - despite its importance - still is secondary to the main and decisive battle front in winning the hearts of the people. Stressing this point we want to remind that building new hamlets, pitching nationalist flags on newly occupied lands, conducting elections, etc. do not necessarily mean actual control of the countryside. The most dangerous communist tactic which must retain our attention is the fact they want to secure for themselves the legal entity of

the people. They want to make the people - although living under their control and participating in insurgency - continue to simulate acceptance of the nationalist government and demand that it solve their own problems of living.

The struggle for winning the hearts of people is a political matter.

Understanding that this war is a struggle for winning the hearts of the people and that the political battle front is at the top, for it governs and influences everything, the question which becomes outstanding is how to win this kind of battle.

The first remark we must sincerely make is that so far the majority of the people is not involved in this kind of battle. They are within the scope of our control, our government takes care of them for hundreds of needs, but their minds and hearts are not with us as yet. Pointing out this fact, certain people identify it as the third force which is the majority of people standing in between.

It is a hasty judgment to pretend that the bloc of people that does not side with communism but does not support the present Government of Vietnam makes up the third force. Everybody agrees (and this is the key to war or peace in Vietnam) that the majority of South Vietnam is against the Communists, but they do not have confidence in their current government as yet. We failed to organize and motivate the majority of the people to struggle for our nationalistic cause. Yet this majority of the

people is nationalist, belonging to the nationalist camp. A clear and concrete political platform must lead to realization that in this decisive struggle there are only two camps: nationalist and communist. The current government of Vietnam has only a temporary character in representing the nation for some stage or period, to lead the struggle and bring peace and freedom back to the nation.

People can oppose the government, openly represent antagonistic viewpoints, demand a change of policies as well as manpower or personnel, but all these changes must take place within the framework of the nationalist camp and relate to current methods and means of the struggle against the common enemy. Therefore it is impossible to consider the current government as one party, and the majority of the people who are not completely for the government as another party. They all are of one party with all their differences concerning ways of leadership. And this is the nationalist party striving to defend South Vietnam from falling into Communists' hands.

The majority of the people live with us but are not with us as yet. Meantime, in communist controlled areas, people are forced to participate in the struggle. With all forms, means and tricks, the communists mobilize all classes of the people to be with them. In Communists' eyes nobody can stay out of the struggle.

Being aware of this situation, we must think of the question of organizing the people into ranks and files, mobilizing the people in order to get them involved in the struggle. And this

is a pre-requisite condition for winning the battle. Proper ways to deal with the problem is not simply to distribute rice and sugar, but also to stress political question in order to strengthen people's political platforms and ideologies.

In fact, how can the people go with us when they do not understand our political stand? How can we mobilize them when our government cadres and high ranking military and civilian officials are still confused, having no insight into the President's platform?

We have so far completed the task of "politicizing" our organizations. With the establishment of central government institutions and the activation of local elected government structures at province, village and hamlet levels, our legal political and democratic framework is pretty well installed.

Now we must start to "politicize" the activities of these institutions. And the basic problem will be the strengthening of proper ideologies for democracy and freedom. What must we do to impress these ideologies in people's minds and hearts - ideologies based on human values of love and mutual understanding, and promotion of community development for mankind?

What must we do to further our nationalistic cause and instill a strong and steadfast confidence in people's hearts for a free and democratic society against communism (a foreign ideology playing against Vietnam, against all concepts of family and religion and against all genuine aspirations of the people)? Our society indeed, abounds with weaknesses. Nevertheless,

we still have opportunities and prospects for improvement, while a communist society is a permanent concentration camp.

Therefore, an aggressive learning movement for fundamental politics must be planned, implemented and coordinated on a nationwide scale. Efforts must be made in revolutionary development, in winning the hearts of the people, and chiefly in trying to build people's political thinking; motivating them to accept our society as it is, with weaknesses and deficiencies, but with strong potential for improvement. Thus they will take appropriate action and strive for improvement with voluntary sacrifice.

If they are effectively taught democratic ideology and choose to live in a free society (in fact this is the trend of mankind's history and reason for existence), the citizens will visualize the importance and necessity of the struggle and become involved.

However, "to politicize" people's activities does not mean only to build up their political thinking but also to stress the unification of political platforms and viewpoints regarding basic problems. Communist tactics aim at destroying confidence in GVN by confusing and slandering it, in order to arouse antagonistic opinions in the people concerning us; and if we fall into their trap, we shall react passively. Except for those undesirables who take advantage of the situation to make their own fortune and get ready to move out, the majority of people live in indifference, relying on others, having no hope for the future, and being discontent with the present.

The task of explaining political points of view and consolidating political platforms belongs to Public Information Services, but actually is a task of civic action. Speaking of civic action, we imply "politicizing" government organizations. And this will demand broad planning and coordination aimed at making each civil servant and each soldier a political cadre at any cost, particularly at the infrastructure levels. Only a cadre imbued with strong political thinking, firm in his basic platform of nationalism, can promote wide acceptance of political training and political confidence in the people.

The cadre shall not only discuss and explain in trying to educate the people politically, he must also tactfully take advantage of the political aspects of all activities. Our weakness is in paying too much attention to technicalities without knowing how to take advantage of political influence from our technical work. If all government employees were convinced they are also political cadres, then those whose daily work has good influence on the people, such as school teachers, Public Health workers, Agriculture Specialists, Social Welfare workers, Veterinarians, etc. should have taken advantage of their prestige to develop nationalistic thoughts in the people.

Such a plan for politicizing government organizations must not be designed for the support of any one individual or group of individuals, but on the contrary must aim at promoting and maintaining a movement of civic action in Public Administration organizations and agencies for the common task of "politicizing" the people.



The above-mentioned policies and plans, initiated and implemented by the government, are very important, but cannot be self-sufficient. They must be supported by different political, religious, professional, ethnic groupings, etc. by those organizations which are capable of integrating the people and can play an important role in winning people's hearts. Such a concept demands from the government an appropriate policy toward all anticommunist associations. If the government cannot give them assistance, at least it should not minimize their influence or jeopardize their activities.

To "politicize" people's activities also means to foster their spirit of struggle. If it is exaggeration to say that victory belongs to those who stand fast for the last fifteen minutes, this idea should serve as guidance to government cadres.

Confronted with a long protracted and trying struggle, there only remains the need for determination to win, in order to promote a spirit of endurance and acceptance of sacrifice in the work of contending with the enemy for the control of people, time and space. Only good morale is able to help us to be self-sufficient and to cease idle reliance on others. If foreign aid is necessary under present circumstances, it is because of foreign aid that we must quickly develop our willingness to be self-supporting and self-sufficient, to be ready for the forthcoming hardships when there is no more foreign aid.

Our success or failure depends on the outcome of this political struggle. We must quickly

get rid of erroneous concepts, of considering the fight against communism as pertaining strictly to the armed forces; as a task of killing and of confiscating enemy weapons. Until the day on which we obtain support from the people, we should not hasten to think of peace and victory.

---

The foregoing address, which was recently delivered to the Faculty of Law, University of Saigon, is printed here by permission of Dr. Nguyen van Bong.

THE REPUBLIC OF VIETNAM

# PRESIDENCY

PRESIDENCY  
ORGANIZATIONAL CHART  
Decree No. 497-a/TT/SL  
Sept. 26, 1969

